



**TOWN OF LAKEVILLE
POLICE DEPARTMENT**

296 Bedford Street • Lakeville, MA 02347
Office: 508-947-4422 • Fax: 508-946-4422

May 29, 2019

MuckRock News
DEPT MR 65933
411A Highland Ave
Somerville, MA 02144-2516

**RE: Public Records Request dated May 17, 2019
Response of Records Access Officer**

Dear MuckRock News:

On May 29, 2019, we received your request pursuant to the Massachusetts Public Records Law for the following records:

- 1) The names of agencies and organizations with which the Agency shares ALPR data;
- 2) The names of agencies and organizations from which the Agency receives ALPR data;
- 3) The names of agencies and organizations with which the Agency shares "hot list" information;
- 4) The names of agencies and organizations from which the Agency receives "hot list" information.

With respect to your request, please be advised that this Department does not have possession, custody or control of the records requested. **This agency does not use ALPR.** The mandatory disclosure provision of the Public Records Law only applies to information that is in the custody of the Department at the time the request is received. As a result, there is no obligation for a Department to create a record for a requester to honor a request. See G.L. c. 4, section 7(26) (defining "public records" as materials which have already been "made or received" by a public entity); see also 32 Op. Att'y Gen. 157, 165 (May 18, 1977) (custodian is not obliged to create a record in response to a request for information); see also A Guide to the Massachusetts Public Records Law, Secretary of the Commonwealth, Division of Public Records, p. 7 (January 2013) (hereinafter Public Records Guide). As a result, the Department is unable to respond to your request.

Please be advised that pursuant to 950 CMR 32.00 and G.L. c. 66, section 10A(a) you have the right to appeal this decision to the Supervisor of Public Records within 90 calendar days. Such appeal shall be in writing, and shall include a copy of the letter by which the request was made and, if available, a copy of the letter by which the custodian responded. The Supervisor shall accept an appeal only from a person who had made his or her record request in writing. Pursuant to G.L. c. 66, section 10A(c), you also have the right to seek judicial review by commencing a civil action in the superior court.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Kristen Campbell".

Kristen Campbell
Administrative Assistant
Records Access Officer